

**MINUTES OF THE PUBLIC HEARING HELD BEFORE THE
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA
MARCH 17, 2010**

A public hearing was held on Wednesday, March 17, 2010, in the Council Chambers of City Hall, 610 Main Street, Jasper, Indiana.

Call to Order. Presiding Officer Mayor William J. Schmitt called the hearing to order at 6:50 p.m.

Roll Call.

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|----------------------------------|---------|
| Mayor William J. Schmitt | Present |
| Council members: | |
| John Schroeder | Present |
| David Prectel | Absent |
| Thomas Schmidt | Present |
| Ambrose 'Butch' Schitter | Present |
| Kevin Manley | Absent |
| Randall Buchta | Present |
| Raymond Howard | Present |
| City Attorney Sandra Hemmerlein | Present |
| Clerk-Treasurer Juanita S. Boehm | Present |

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the hearing, a majority of the council members must be in attendance. Five of the seven council members were in attendance, which is a majority; therefore, there was a quorum for the hearing.

Pledge. Mayor Schmitt then invited those in attendance to join him in reciting the Pledge of Allegiance.

Purpose. Mayor Schmitt said the purpose of the public hearing concerns the petition of Allan R. and Judith K. Holweger to vacate a public utility and drainage easement that is a part of Lot 31 and the South half of Lot 32 in Brentwood Subdivision Phase I.

A notice concerning the public hearing appeared in the Herald on March 4, 2010. A notice was also posted at City Hall and faxed to the news media.

Ken Brosmer with Brosmer Land Surveying said he is representing the Holwegers, the developers of the Brentwood Subdivision. He displayed a plat of the subdivision and pointed out the location of the easement. Several years ago Holweger sold Lot 33 and one-half of Lot 32 and now he has a buyer for Lot 31 and the other half of Lot 32. The current easement runs through Lot 32, therefore, they want to vacate that easement and give the City a new easement that would be located at the end of Lot 32. Brosmer said he attended the Utility Service Board meeting Monday night and they do not have a problem with the vacation as long as the City receives a new easement.

Council member John Schroeder said relocating the easement will enable the owner to sell the lot.

There was some discussion whether or not Holweger already had the closing on the sale of this property and had recorded the deed. If so, then Holweger would not be the owner of the property and responsible for the vacation.

Mayor Schmitt then asked for public comments. No public comments were received.

A **motion** was made by Council member Thomas Schmidt and seconded by Council member Ambrose 'Butch' Schitter to close the public hearing. The motion carried 5-0 and the hearing closed at 7:00 p.m.

The minutes were hereby approved _____ with X without corrections or clarification this 21st day of April, 2010.

Mayor William J. Schmitt
Presiding Officer

Attest:

Juanita S. Boehm, Clerk-Treasurer

Margaret A. Kress, Recording Secretary